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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/529,292	03/25/2005	Takeshi Konno	CSP-111-A	1998
21828	7590	03/22/2006	EXAMINER	
CARRIER BLACKMAN AND ASSOCIATES 24101 NOVI ROAD SUITE 100 NOVI, MI 48375			AMAYA, CARLOS DAVID	
			ART UNIT	PAPER NUMBER
			2836	

DATE MAILED: 03/22/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

10/529,292

Applicant(s)

KONNO, TAKESHI

Examiner

Carlos Amaya

Art Unit

2836

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 03/25/2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-15 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 25 March 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☒ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 03/05/05, 02/13/06.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

## **DETAILED ACTION**

### ***Claim Objections***

1. Claim 2 is objected to as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The "switching unit" of claim 2 lacks antecedent basis.

### ***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1, 2-5,8-10,13-14 are rejected under 35 U.S.C. 102(b) as being anticipated by Buchner (US 6,194,997).

With respect to claim 1 Buchner discloses an electronic key system for a vehicle (Antitheft system Figure1) including a controller (Control unit 1) mounted in the vehicle and a portable transceiver (Key 9, is a code transmitter capable of receiving and transmitting coded signals. Since it functions as a transceiver Key 9 is called a portable transceiver, Column 3 lines 42-46) carried by a user of the vehicle, the vehicle comprising a locking unit (Door locks 2, tailgate lock 3) which locks the vehicle so that use of the vehicle is not possible until a lock release command is received (Column 3, lines 53-58), and wherein the controller comprises: a transmitter that outputs a request signal (Column 3 lines 14-15, and lines 40-41) to the portable transceiver in response to

an ON operation of a predetermined switch (Activation switch 7, Column 3 lines 35-36), the predetermined switch previously determined from among a plurality of switches (Ignition lock 21, Brake pedal 22 and monitoring devices 13,14 and 15) positioned in the vicinity of the user when the user boards the vehicle, as the selection and location of the activation switch has been predetermined by the designer/manufacture of the vehicle; a receiver (antenna 4) which receives an acknowledgement signal in response to the request signal from the portable transceiver, and a drive unit (which releases the steering lock or immobilizer) which, when the acknowledgement signal is compared and judged to be a request from the user, outputs a lock release command to the locking unit (Column 3 lines 53-55).

With respect to claim 2 Buchner discloses the electronic key system for a vehicle according to claim 1, further comprising: an interrupting unit which interrupts a supply of power to at least circuits, inside the controller, that perform communication; and an interrupting unit controller which permits the switching unit to supply power to the circuits in response to an ON operation of the predetermined switch when the user boards the vehicle (Buchner discloses that upon activation of the activation switch and recognition of the transmitted signal the control unit is instructed to lock or unlock doors, thus the limitations of the claim are met by disclosure of Buchner).

With respect to claim 3 Buchner discloses the electronic key system for a vehicle according to claim 1, wherein the plurality of switches are operational switches used for starting the engine (21 Figure 1) of the vehicle providing safety during travel, and stopping the vehicle (22 Figure 1) Column 7 lines 5-15.

With respect to claim 4 Buchner discloses the electronic key system for a vehicle according to claim 1, wherein a switch for detecting that the user has boarded the vehicle is included as one of the plurality of switches (Monitoring circuits 13, 14, 15 Figure 3, Column 6 lines 27-28).

With respect to claim 5 Buchner discloses an electronic key system for a vehicle comprising a controller mounted in the vehicle (Control unit 1, Figure 1) and a portable transmitter (Key 9) carried by a user of the vehicle, the vehicle containing a locking unit (Control Unit 1 performs the locking and unlocking of door locks 2,3, Column 3 lines 47-52) which locks the vehicle so that the vehicle cannot be used until a lock release command is received (Column 3 lines 53-58), the portable transmitter (Key 9) comprising a transmitter unit that outputs a request signal (Column 3 lines 14-15, lines 40-41) to the controller in response to operation input by the user (Column 3 lines 36-38), and wherein the controller comprises: receiver (Control unit 1 has the capabilities of sending and receiving signals, Column 3 lines 14-15) which receives a request signal from the portable transmitter in response to an ON operation of a predetermined switch (Activation switch 7), the predetermined switch being previously identified from among a plurality of switches (Ignition lock 21, Brake pedal 22) positioned in the vicinity of the user when the user boards the vehicle, and a drive unit which outputs a lock release command to the locking unit when the request signal is compared and judged to be a request from the user, outputting a lock release command to the locking unit (Column 3 lines 53-55).

With respect to claim 8 Buchner discloses the electronic key system for a vehicle according to claim 5, wherein the plurality of switches are operational switches used for starting the engine (21 Figure 1) of the vehicle providing safety during travel, and stopping the vehicle (22 Figure 1) Column 7 lines 5-15.

With respect to claim 9 Buchner discloses the electronic key system for a vehicle according to claim 5, wherein a switch for detecting that the user has boarded the vehicle is included as one of the plurality of switches (Monitoring circuits 13, 14, 15 Figure 3, Column 6 lines 27-28).

With respect to claim 10 Buchner discloses an electronic key system for a vehicle including a controller mounted in the vehicle (Control unit 1) and a portable transceiver (Key 9, is a code transmitter capable of receiving and transmitting coded signals. Since it functions as a transceiver Key 9 is called a portable transceiver, Column 3 lines 42-46) carried by a user of the vehicle, the vehicle comprising a locking unit (Door locks 2, tailgate lock 3) which locks the vehicle so that use of the vehicle is not possible until a lock release command is received (Column 3 lines 53-58), and wherein the controller comprises: a transmitter that outputs a request signal (Column 3 lines 14-15, and lines 40-41) to the portable transceiver in response to an ON operation of a switch (Activation switch 7, Column 3 lines 35-36), the switch selectable from among a plurality of switches (Ignition lock 21, Brake pedal 22 and monitoring switches 13,14 and 15) positioned in the vicinity of the user when the user boards the vehicle; a receiver which receives an acknowledgement signal in response to the request signal from the portable transceiver, and a drive unit which, when the acknowledgement signal is compared and

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judged to be a request from the user, outputs a lock release command to the locking unit (Column 3 lines 53-55).

With respect to claim 13 Buchner discloses the electronic key system for a vehicle according to claim 10 wherein the switch is located at an approximate center of the vehicle (Figure 1).

With respect to claim 14 Buchner discloses the electronic key system for a vehicle according to claim 10 wherein the switch is selected from the group comprising a clutch switch (22 Figure 4, Column 7 lines), an indicator switch (Trigger Switch 11), and a brake switch (22 Figure 4).

With respect to claim 15 Buchner discloses the electronic key system for a vehicle according to claim 10 wherein the switch is located on a steering mechanism of the vehicle (Buchner does not disclose expressly that the switch is located on a steering mechanism of the vehicle, the position of the switch is determined by the designer/manufacturer and it could be placed anywhere on the vehicle).

#### ***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 6-7, 11-12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Buchner (US 6,194,997) in view of Desai (US 6,236,850).

With respect to claim 6-7, and 11-12 Buchner discloses the electronic key system for a vehicle according to claims 1,5 and 10 that supply power to the circuits in response to ON operation of an activation switch 7, after the circuit is place in a standby mode, however, does not discloses expressly an interrupting/switching unit which interrupts and permits an intermittent supply, if the vehicle is not started for a specified period of time, a supply of power to at least circuits, inside the controller, that perform communication; and an interrupting unit controller which permits the switching unit to supply power to the circuits.

Desai, however, discloses a receiver/controller (18) and power control circuitry (62) for conservation of power, which operates in three modes, a full ON mode, a sleep mode and a duty-cycling mode. The full ON mode is entered upon detection of a transmitted signal from transmitter 14, and other wise it remains in the sleep mode or the duty-cycling mode (Column 6 lines 18-26, lines 29-41). The sleep mode and the duty-cycling mode are entered when a pre-determined time has elapsed (Figure 4, Column 7 lines 41-58).

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art, to insert the Desai power saving invention into the Buchner electronic key system for the purpose of obtaining an interrupting unit that supplies power to the receive circuitry in a pre-determined manner to save power.

The suggestion or motivations for doing so are to obtain a safer and reliable security system for a vehicle when in a stand by mode; also to provide a system that



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saves the vehicles power by using an interrupting unit that puts the circuit in a stand by mode.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to the examiner's supervisor, Brian Sircus who can be reached on (571)272-2058. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

CA



**PHUONG T. VU**  
**PRIMARY EXAMINER**